

The 2<sup>nd</sup> November, 2007.

**No. SW(S)/180/81/Pt/42.**—In exercise of powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following Rules for regulating the recruitment and the conditions of service of persons appointed to post in the Meghalaya Social Welfare Service, Namely :-

### THE MEGHALAYA SOCIAL WELFARE SERVICE RULES, 2007

1. **Short title and commencement :-** (1) These rules may be called 'The Meghalaya Social Welfare Service, Rules'.  
(2) They shall come into force from the date of this notification in the official Gazette.
2. **Definitions :-** In these Rules, unless there is anything repugnant in the subject or context :-
  - (a) "Appointing Authority" means the Governor of Meghalaya.
  - (b) "Commission" means the Meghalaya Public Service Commission.
  - (c) "Committee" means the Departmental Promotion Committee constituted under Rule 8.
  - (d) "Government" means the Government of the State of Meghalaya.
  - (e) "Governor" means the Governor of Meghalaya.
  - (f) "Member of the Service" means a member of the Meghalaya Social Welfare Service.
  - (g) "Rules" means the Meghalaya Social Welfare Service Rules.
  - (h) "Service" means the Meghalaya Social Welfare Service constituted under these rules.
  - (i) "Schedule" means the Schedules appended to these Rules, and
  - (j) "Year" means the Calendar Year.
3. **Constitution of the service :-** There shall be constituted a Service to be known as the Meghalaya Social Welfare Service consisting of the following persons, namely :-
  - (a) Members of the Assam Social Welfare Service who are allocated to the State of Meghalaya in accordance with the provisions of Section 64 (1) of the North Eastern Areas (Re-organisation) Act, 1971;
  - (b) Persons appointed to different posts in the service on or after 21<sup>st</sup> January, 1972 but before the commencement of these rules.
  - (c) Persons appointed to different post in the service in accordance with these provisions of these rules.
4. **Composition of the Service :-**
  - (1) The Service shall, at the commencement of these rules, consist of the following grades and categories of posts, namely :-
 

(a)	Senior Grade	...	...	(i) Additional Director of Social Welfare (ii) Joint Director of Social Welfare (iii) Deputy Director of Social Welfare
(b)	Grade I	...	...	Assistant Director of Social Welfare/Programme Officer/ District Programme Officer/District Social Welfare Officer/ Social Research Officer.
(c)	Grade II	...	...	Child Welfare & Probation Officer/Social Welfare Officer( Anti Drugs & Social Evils)/Superintendent, Training for Self Employment of Women in need of Care & Protection/Chief Instructor, Anganwadi Training Centre/Child Development Project Officer.

(2). Each of the categories of posts in clauses (a), (b) and (c) of sub-rule (1) shall form an independent cadre. Members of the lower cadre shall have no claim for appointment to any of the higher cadre except in accordance with the provisions made in these Rules.

5. **Status :-** The status of the members of the service holding posts in the Senior Grade and Grade I shall be Class I Gazetted and those holding post in the Grade II shall be Class II Gazetted.

6. **Strength of the Service :-** (1) The strength and composition of the service shall be such as may be determined by the Governor from time to time.

(2) At the commencement of these Rules the strength of the service and posts therein shall be as shown in Schedule I.

7. **Method of recruitment :-** (1) Appointment to any post in the Senior Grade and Grade I shall be made by promotion from amongst the members of the service holding the next lower posts in the Senior Grade, Grade I and Grade II as the case may be and possessing the experience as specified in Schedule II and included in the select list approved under sub-rule (5) of Rule 9.

(2) Appointment to any post in the Grade II of clause (c) under sub-rule I of Rule 4 shall be made by direct recruitment, on the result of the competitive examination/interview conducted by the commission at such intervals and in accordance with such syllabus as the Appointing Authority may from time to time make, in consultation with the commission. The date, time and place of the examination/interview shall be fixed by the Commission.

8. **Departmental Promotion Committee :-** (1) For the purpose of appointment by promotion under sub-rule (1) of Rule 7, there shall be a Departmental Promotion Committee consisting of the following members :-

- |                      |     |  |
|----------------------|-----|--|
| (a) Chairman         | --- | Chief Secretary  |
| (b) Member Secretary | --- | Principal Secretary/Commissioner & Secretary/<br>Secretary Social Welfare Department .   |
| (c) Members          | --- | (i) Principal Secretary/Commissioner & Secretary/<br>Additional Secretary, Govt. of Meghalaya, Personnel & A.R. Department.      |
|                      | --- | (ii) Principal Secretary/Commissioner & Secretary/<br>Secretary/Additional Secretary, Govt. of Meghalaya, Finance<br>Department. |
| (d) Member           | --- | Director, Social Welfare Department.   |

(2) The Committee may invite any other person to attend its meeting as and when considered necessary.

9. **Procedure for preparing the Select List :-** (1) At the beginning of each year, the Appointing Authority shall refer to the Committee, the approximate number of vacancies likely to occur in each cadre of the service during the year. To enable the Committee to prepare the lists for promotion, the Appointing Authority shall furnish the Committee with the following documents, namely :-

- (a) A list of the members of the service drawn up in order of seniority and consisting three times the number of vacancies referred to in sub-rule (1) :-

Provided that such restriction shall not apply in respect of posts where the total number of eligible persons is less than three times the number of vacancies and in such a case, the Committee shall consider all the eligible officers.

- (b) The Character Rolls and Service Records of such members.

- (c) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Committee.

(2) The Committee after examining the Character Rolls, Service Records and other documents in respect of all such persons, shall prepare a list based on seniority with due regard to individual merit and suitability. The number of person to be included in the list shall be as laid down in part III of the Instruction appended to the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972. The list shall be forwarded by the Committee to the Appointing Authority.

(3) The names of persons in the list shall be placed in order of preference for promotion. In every case where a junior member is selected in preference to his seniors, the committee shall record in writing the reasons for doing so.

(4) For the purpose of appointment by promotion under sub-rule (1) of Rule 7, the Appointing Authority shall consider the list prepared by the Committee along with the Character Rolls and Service Records and other documents in respect of each person in the list and unless he considers that any change is necessary, approve the list. If the Appointing Authority considers it necessary to make any change in the list received from the Committee, he shall inform the Committee of the changes proposed and after taking into account the comments, if any, of the Committee, approve the said list finally with or without modification as may in his opinion, to be just and proper.

(5) The list as approved under sub-rule (4) above shall form the select list for the purpose of appointment by promotion under sub-rule (1) of Rule 7.

**10. Validity of the Select List :-** (1) The Select List shall remain in force for a period of one year unless its validity is extended, with the approval of the Appointing Authority:

(2) Provided that such an extension shall not be for a total period exceeding six months:

(3) Provided further that in the event of any great lapse in the conduct or performance of duties on the part of any person in the Select List, the Appointing Authority may, if he thinks fit, remove the name of such person from the Select List in consultation with the Committee. The reason for doing so shall be recorded in writing.

(4) The Committee shall meet once a year to review the select list.

**11. Direct Recruitment :-** (1) On the basis of the results of the Competitive Examination the commission shall prepare a list of all successful candidates in order of merit, which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the commission shall arrange them in order of their relative merit which shall be determined in accordance with the general suitability of the candidate for appointment to the post. The number of persons to be included in the list shall be according to the actual number of vacancies that are likely to occur during the recruitment year *plus* 10% of the actual vacancies or 2 (two) names whichever is more. The list shall be forwarded to the Appointing Authority.

(2) Inclusion of a candidate's name in the list confer no right to appointment unless the Governor/Appointing Authority is satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post and that appointment to any post in the service is subject to availability of vacancy.

**12. Conditions of eligibility for appearing at the Competitive Examination :-** (1) In order to be eligible to compete at the examination, a candidate must satisfy the following conditions, namely :-

(a) Nationality - He / She must be a citizen of India.

(b) Age - He / She must have attained the age of 18 years and must not have exceeded the age of 27 years on the first day of the year in which the advertisement of the post is made.

(c) Educational Qualification - As laid down in Scheduled II (entry point):

(2) Provided that in the case of candidates belonging to Scheduled Castes or Scheduled Tribes, the upper age limit will be subject to any relaxation made by the Government from time to time.

**13. Disqualification for appointment to post in the service :-** (1) No person shall be appointed who, after such medical examination as the Government may prescribe, is not found to be in good mental or bodily health and free from any physical defect or infirmity which may render him unfit in the discharge of his duties:

(2) Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this sub-rule.

(3) No person who attempts to enlist support for his candidature either directly or indirectly by any recommendation either written or oral, or by any other means shall be appointed to posts in the service.

**14. Appointment to post in the service :-** (1) Appointment to any post in the service shall be made by the Appointing Authority.-

(2) Subject to the provision of sub-rule (3) and (5) of Rule 11, Appointment shall be made from time to time in the order in which the names of candidates, appear in the merit list prepared under sub-rule (4) of Rules 11.

(3) A person appointed by direct recruitment shall join within 15 days from the date of receipt of the order of appointment, failing which, and unless the Appointing Authority extend the period of joining which shall not in any case exceed three months, the appointment shall canceled.

(4) Appointment under sub-rule (1) of rule 7 shall be made in the order in which the names of candidate appear in the select list approved under sub-rule (5) of Rule 9.

**15. Seniority :-** (1) The interse seniority of members of service who originally belonged to and appointed by the Government of Assam before 21<sup>st</sup> January, 1972 and who are allocated to the state of Meghalaya, in accordance with the provisions of Section 64 (1) of the North Eastern Areas Re-organisation) Act, 1971, in the respective cadre shall be as it was in corresponding cadre, under the Government of Assam prior to their allocation to the sate of Meghalaya.

(2) Notwithstanding anything contained in sub-rule (1), the interse seniority of the members of the service appointed by the Government of Meghalaya on the recommendation of the Assam Public Service Commission during the period between 2nd April, 1970 and 20<sup>th</sup> January, 1972 (both days inclusive) vis-a vis those appointed by the Government of Assam under the same recommendation and allocated to the State of Meghalaya in the respective cadre, shall be determined in the order in which their names appeared in the list prepared by the Assam Public Service commission. Such members shall be junior to all the members mentioned in sub-rule (1) above in the respective cadre.

(3) The interse seniority of the members of the service in any cadre appointed on or after 21<sup>st</sup> January, 1972, but before the commencement of these rules shall be in the order in which their names appeared in the lists prepared and approved by the Commisiion. Such members shall be junior to all the members mentioned in sub-rule (1) and (2) above in the respective cadres.

(4) The interse seniority of the members of Service appointed to different posts after the commencement of these rules shall be in the order which their names appear in the merit Select List approved under sub-rule (5) of rule 9.

(5) If confirmation of any member of the service is delayed on account of her/his failure to qualify for such Seniority in that cadre, his/her original position in that particular cadre shall, however, be restored on his/her subsequent confirmation.

**16. Confirmation :-** (1) Confirmation of members of service appointed by promotion shall be made according to his seniority in the respective cadre subject to the following conditions, namely :-

- (a) that he/she has served not less than one year in the post where he/she is to be confirmed.
- (b) that the performance of the employee is satisfactory (to be judged on basis of Annual confidential Reports and other relevant records.
- (c) that there is no departmental proceeding/vilgilance enquiry against him/her and
- (d) subject to availability of vacancy and that no offer holds a lien on it.

**17. Gradation List :-** There shall be prepared and published annually an upto date gradation list as on 1st January consisting of the names of all members of the service, cadre - wise and drawn up in order of seniority and other particulars relating to the date of birth and appointment to the service and such other details relevant to the service carrer shall also be indicated against each name.

**18. Increment :-** (1) The first increment admissible to a member of the service appointed under sub-rule (1) and (2) of Rule 7 shall accrue on the expiry of the one year from the date of his joining to the respective post and service.

**19. Power of the Governor to dispense with or relax any Rule :-** The Governor, if satisfied that the operation of any of the provisions of these rules causes undue hardship in any particular case or cases or results in any particular post or posts being left unfilled for want of persons possessing the minimum experience as specified by these rules for promotion to such post, may dispense with or relax the requirement of any of these rules to such condition, as it may consider necessary for dealing with the case in a just and equitable manner, or, for meeting the exigencies of public interest:

Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided under these rules.

20. **Interpretation** :- If any question arises relating to the interpretation of these rules, the decision of the Government in the Social Welfare Department with the approval of the Personnel and A&R (A) Department shall be final.

21. **Repeal and Saving** :- All rules, orders or notification corresponding to and in force immediately before the commencement of these rules are hereby repealed.

Provided that all orders made or action taken under the rules, orders, notification so repealed or any action taken in pursuant thereto, shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

**Y. TSERING,**

Commissioner and Secretary to the Govt. of Meghalaya,  
Social Welfare Department.

**SCHEDULE - I**  
(Rule - 6 (2))

Sl. No.	Name of Post	Time scale Pay	Number of Posts		
			Permanent	Temporary	Total
1	2	3	4	5	6
	<b>Senior Grade</b>				
1.	Additional Director of Social Welfare	Rs.10750-325-12700-EB-350-14800/-	-	1	1
2.	Jt. Director of Social Welfare	Rs.10000-300-11800-EB-325-14075/-	-	1	1
3.	Dy. Director of Social Welfare	Rs.8750-275-10400-EB - 325-13100/-	1	-	1
	<b>Grade - I</b>				
4.	Asstt. Director of Social Welfare	Rs.7750-250-9000-EB-275-10375-290-12115/-	1	2	3
5.	Programme Officer/District Programme Officer/Social Research Officer/District Social Welfare Officer.	Rs.6850-240-8290-EB-250-10040-260-11600/-/-	5	7	12
	<b>Grade - II</b>				
6.	1. Child Welfare and Probation Officer/Social Welfare Officer/ (Anti Drugs and Social Evils)/ Superintendent (Training for Self employment of Women in need of Care and Protection)	(a) Rs.6350-225-7700-EB-240-9380-250-11130/- (if held by a member of the Social Welfare Service). (b) Rs.6100 -200-7300-EB-225-8875-240-10795/-	4	34	38
	2. Chief Instructor Anganwadi Training Centre/Child Development Project.	Rs.6100 -200-7300-EB - 225-8875-240-10795/-			

**SCHEDULE -II**  
(Rule 7 and Rule 12)

Sl. No.	Name of Post	Method of recruitment with percentage of vacancies to be filled up in any direct recruitment or promotion	Direct recruitment Promotion					Remarks
			Educational qualification etc. required for direct recruitment	Lower age limit.	Upper age limit.	Persons eligible for consideration for promotion to post mentioned in Col.2	Qualification experience etc.	
1	2	3	4	5	6	7	8	9
1.	Additional Director of Social Welfare.	Promotion	--	--	--	Joint Director of Social Welfare.	Must have rendered not less than 3 (three) years of continuous service as Joint Director on the first day of the year in which the selection is made.	
2.	Joint Director of Social Welfare.	Promotion	--	--	--	Deputy Director of Social Welfare.	Must have rendered not less than 3 (three) years of continuous service as Deputy Director on the first day of the year in which the selection is made.	
3.	Deputy Director of Social Welfare	Promotion.	--	--	--	Assistant Director of Social Welfare.	Must have rendered not less than 3 (three) years of continuous service as Asstt. Director on the first day of the year in which the selection is made.	
4.	Asstt. Director of Social Welfare.	Promotion	--	--	--	Programme Officer/District Social Welfare Officer/Social Research Officer/District Programme Officer.	Must have rendered not less than 3 (three) years of continuous service as Programme Officer/ District Social Welfare Officer/Social Research Officer/District Programme Officer on the first day of the year in which the selection is made.	
5.	Programme Officer/District Social Welfare Officer/Social Research Officer/District Programme Officer.	Promotion	--	--	--	Child Welfare and Probation Officer/Social Welfare Officer (Anti Drugs & Social Evils)/ Superintendent Training for Self Employment of women in need of Care and Protection/Chief Instructor/Child Development Project.	Must have rendered not less than 5 (five) years of continuous service as Child Welfare and Probation Officer/ Social Welfare Officer/ Anti Drugs & Social Evils)/ Superintendent training for Self Employment of women in need of Care and Protection/Chief Instructor/Child Development Project officer on the first day of the year in which the selection is made.	



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**Y. TSERING,**  
Commissioner & Secretary to the Govt. of Meghalaya,  
Social Welfare Department.